

REMARKS

I. Introduction

Claims 9 to 17 are pending in the present application. In view of the following remarks, it is respectfully submitted that all of the presently pending claims are allowable, and reconsideration is respectfully requested.

Applicants notes with appreciation the acknowledgment of the claim for foreign priority and the indication that all certified copies of the priority documents have been received.

Applicants thank the Examiner for considering the previously filed Information Disclosure Statement, PTO-1449 paper and cited references.

II. Rejection of Claims 9 to 17 Under 35 U.S.C. § 102(b)

Claims 9 to 17 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent Application Publication No. 2002/0100948 (“Yoshihara et al.”). It is respectfully submitted that Yoshihara et al. do not anticipate the present claims for at least the following reasons.

Claim 9 relates to a method for pressure-independent temperature determination, including, providing a bridge circuit having a plurality of resistors on a diaphragm, a first resistor pair being positioned near the center of the diaphragm and a second resistor pair being positioned at a distance from the center of the diaphragm, wherein the first and second resistor pairs are positioned on the diaphragm such that tensile elongation of the first resistor pair positioned near the center of the diaphragm corresponds to compression of the second resistor pair positioned at a distance from the center of the diaphragm.

Yoshihara et al. do not disclose, or even suggest, all of the claimed features of claim 9. Specifically, Yoshihara et al. do not disclose the feature of a method for pressure-independent temperature determination. Yoshihara et al. describe a bridge circuit, including eight gage resistors, four of which are arranged near the center of a diaphragm, and the other four are arranged near the peripheral edge of the diaphragm. This arrangement, according to Yoshihara et al., suppresses variation of sensitivity due to position deviation of gage resistors and reduces the offset voltage. Yoshihara et al. make no mention whatsoever of a *method for pressure-independent temperature determination*. The present invention, however, provides for the determination of the temperature of a diaphragm, through suitable

arrangement of the diaphragm geometry and appropriate positioning of the strain gauges on the diaphragm, which allows for the total resistance of the measurement bridge to be independent of the deflection of the diaphragm, and thus the total resistance depends only on the temperature of the diaphragm. Thus, regardless of the pressure to be measured, the temperature of the diaphragm may be determined using the measurement bridge, and this temperature may be used for compensation purposes, without requiring additional compensation-measuring or temperature-measuring resistors to be applied to the metal diaphragm. Nowhere, do Yoshihara et al. disclose this feature or the above results.

Moreover, there is no indication whatsoever by Yoshihara et al. that a tensile elongation of a first resistor pair positioned near a center of a diaphragm corresponds to compression of a second resistor pair positioned at a distance from a center of the diaphragm. The Office Action's reference on page 3 to paragraphs [0058] to [0061] and [0075] of Yoshihara et al. in this regard is not understood. Indeed, paragraphs [0058] to [0061] and [0075] of Yoshihara et al. make no mention whatsoever that a tensile elongation of a first resistor pair positioned near a center of a diaphragm corresponds to compression of a second resistor pair positioned at a distance from a center of the diaphragm.

As such, it is respectfully submitted that Yoshihara et al. do not disclose, or even suggest, all of the features included in claim 9. Consequently, it is respectfully submitted that Yoshihara et al. do not anticipate claim 9, or claims 10 to 17, which depend from claim 9.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

III. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Date: April 9, 2009

By: /Clifford A. Ulrich/
Clifford A. Ulrich, Reg. No. 42,194 for
Gerard A. Messina (Reg. No. 35,952)

KENYON & KENYON LLP
One Broadway
New York, New York 10004
(212) 425-7200
CUSTOMER NO. 26646